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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FIRST APPELLATE DISTRICT  
DIVISION FOUR

THE PEOPLE,

Plaintiff and Respondent,

v.

LINO RUBALCAVA JIMENEZ,

Defendant and Appellant.

A122687

(Solano County Super.  
Ct. No. VCR197883)

Lino Rubalcava Jimenez appeals from a judgment upon his plea of no contest to possessing cocaine for sale (Health & Saf. Code, § 11351). Defendant also admitted that he suffered a prior conviction of Health and Safety Code section 11378. His counsel raises no issues and asks this court for an independent review of the record to determine whether there are any arguable issues. (*People v. Wende* (1979) 25 Cal.3d 436.) Defendant has been apprised of his right to file a supplemental brief, but has not done so.

On August 11, 2008, defendant waived his right to a jury trial and pled no contest to possessing cocaine for sale. The charge stemmed from an incident in which the police observed defendant throw a plastic bag containing 25 individual bags of cocaine underneath a van.

Defendant entered the plea with the understanding that he could be sentenced up to seven years eight months, but that the court indicated it would place him on probation on conditions including the completion of a residential treatment program.

On September 8, 2008, the court suspended imposition of a state prison sentence and placed defendant on probation for three years on conditions including that he serve

210 days in the county jail, and that he be committed to a category one or two residential treatment program. Over defendant's objection, the court also imposed gang-related probation terms in light of defendant's tattoos of " '14' " and four dots which are associated with the Norteño gang. The court granted defendant a total of 187 custody credits.

Defendant was represented by counsel. There was no error in the sentencing. This court has reviewed the entire record and there are no meritorious issues to be argued.

**DISPOSITION**

The judgment is affirmed.

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RIVERA, J.

We concur:

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REARDON, Acting P. J.

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SEPULVEDA, J.